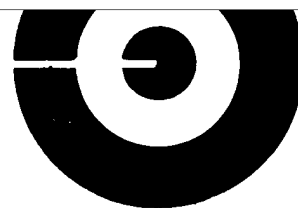


WASH HIVE

DEBATE REPORT



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MEDIAGATE

Few affairs have exposed the silliness of the news media more than the extravagant attention lavished on the leak of Carter campaign documents to the Reagan campaign and the lack of interest shown in more serious scandals. Seldom has so much been written about so little. After weeks of huffing and puffing by the media no one has succeeded in uncovering as much as a misdemeanor. The hollowness of the affair was exposed on ABC's "Viewpoint" program on July 14. A woman in the audience asked the panel that ABC had assembled to discuss "Debategate" what the fuss was all about, what was the crime. One of the panelists responded that if there had been a theft, that would have been a crime.

But no one has turned up any evidence of theft. Cong. Donald Albosta, who has taken it upon himself to investigate this trivial affair on the pretense that his subcommittee is revising the laws governing ethics in the civil service, said early on, "It is obvious to me that it was somebody in the Carter Administration who removed some documents from the White House." That sounds like a run-of-the-mill Washington leak, the kind that the media thrive on.

Most journalists avoided referring to the transfer of the documents as a "leak," for the very good reason that they did not want to heighten the public perception that they were trying to create a scandal out of what they consider a routine transaction--when they are the beneficiaries. The Washington Post, which did more in its news columns to hype the story than any other publication, felt constrained to remind its readers in an editorial that "leaked presidential (and other governmental) material is not stolen goods." It wisely suggested that care be taken to maintain the distinction between leaking and stealing, lest the press be hoist on its own petard.

But not everyone heeded that warning. Newsweek headed its story in the June 11 issue, "The Case of the Pilfered Papers." NBC's Tom Brokaw talked about "the pilfered papers," and NBC correspondent Carl Stern said that the only federal law that might have been violated was one dealing with "theft of government property." ABC's Sam Donaldson referred to the documents as "stolen," as did syndicated columnist Mark Shields, who predicted that "the case of how many

of President Jimmy Carter's missing papers were stolen from the White House will be with us through Labor Day." Richard Cohen, a columnist syndicated by The Washington Post, said Reagan had refused to "characterize the ethics of stealing the opposition's campaign papers."

Good Leaks and Bad Leaks

The public wasn't buying what the media were trying to sell. People kept asking why the journalists were so exercised about the leak of the campaign papers to the Reagan people in view of their own love of leaks. Richard Cohen tried to explain the difference. He wrote, "The obligation of the press is to inform the public. If that means occasionally publishing purloined documents, then so be it.... It does not use them for partisan advantage. It publishes them for all to read."

As Jackie Gleason used to say, "Har-de-har-har!" Journalists use leaks for both their personal and institutional advantage, and also to advance the partisan causes they personally favor. They win Pulitzer prizes and promotions with stories based on leaks—but they have to be stories that meet with the approval of the journalistic pack. Not every leak is equally newsworthy in the eyes of Big Media.

The Pentagon Papers leak was good. That helped undermine public confidence in the Vietnam War. But the June 1979 leak of a secret CIA memo showing Castro's deep involvement in the Sandinista revolution in Nicaragua was bad. Richard Cohen's paper, The Washington Post, refused to publish a word about it, presumably because the editors did not want to throw any monkey wrenches into the then nearly successful plot to replace Somoza with the Sandinistas. It wouldn't do to tell the public who was really running the Sandinista operation!

The selective exploitation of leaks by the media is itself a scandal, one that deserves the title of "mediagate." It is beautifully illustrated by the treatment of the Carter administration's leak of highly classified information about the Stealth bomber during the 1980 presidential campaign. The leak of Carter campaign papers to the Reagan camp was nothing compared to Carter's

deliberate leak of this ultra-sensitive defense information for partisan ends. Not only did some in the media eagerly cooperate with this incredibly irresponsible and costly political ploy, but they have done little to expose it and demand punishment of those responsible.

The Strange Saga of Stealth

In a recent column in The Washington Times, retired admirals Elmo Zumwalt and Worth Bagley wrote, "Apparently, the proven misdeeds of an ex-president which do extensive damage to the future security of this country are less newsworthy than establishing that a serving president, while still a candidate, *might* have been involved directly or indirectly in a questionable, but by no means security-threatening practice."

The admirals called attention to a little known report issued by the Investigations Subcommittee of the House Armed Services Committee on February 3, 1981, entitled "Leaks of Classified National Defense Information—Stealth Aircraft." The report had attracted virtually no attention at the time it was issued. It suggested that in August 1980, during the political campaign, the Carter Administration engineered leaks about the highly secret technology that was being developed to build a bomber that would be invisible to enemy radar. These leaks were then used to justify public release of information about the Stealth program by the Secretary of Defense.

Secretary of Defense Harold Brown called a press conference on August 22, when he disclosed a great deal of heretofore highly classified information about Stealth technology. He hailed this as "a major technological advance of great military significance." The House Armed Services Committee report pulled no punches. It said, "... the release of information about Stealth in the formal press conference was done to make the Defense Department and the administration look good in an election year, and not, as claimed, for purposes of damage limitation. The release of this information in a formal press conference was a serious mistake and did serious damage... to the security of the United States and our ability to deter or to contain a potential Soviet threat."

The report noted that Admiral Zumwalt, former Chief of Naval Operations, had testified under oath that he had learned from sources in both the Pentagon and the White House that President Carter had decided to leak information about the super-secret Stealth project "so there would be an excuse for a fuller, official disclosure about the existence of Stealth, ostensibly as a 'damage-limiting' operation, but in reality to enhance the image of the Defense Department, under political attack for having done too little to strengthen our military defenses." Admiral Zumwalt testified that two White House officials had informed him that David Aaron, Deputy Assistant to the President for National Security Affairs, had provided information about Stealth to The Washington Post that served as the basis for an article published on August 14, 1980.

Gen. Richard H. Ellis, Commander of the Strategic Air Command, reacted to this article in The Post in a letter to Gen. Lew Allen, Chief of Staff of the Air Force, saying: "Today's Washington Post story on the possible

development of an advanced technology bomber brought the hair up on the back of my neck. I don't have to tell addressees that giving the Soviets [] years advanced warning of a new technology system they must counter is to sound the death knell of that system. As the current commander of the combatant command that would eventually operate such a system, I ask that you take immediate action at the necessary levels to discredit the story and otherwise defuse the situation."

Gen. Allen agreed, but the Under Secretary of Defense for Research and Development, Dr. William Perry, did not. Within a few days, Perry contacted Benjamin Schemmer, editor of The Armed Forces Journal, and urged him to publish a story about Stealth. Perry said he would give Schemmer updated information about the program, but he wanted assurances that the story would be in print and distribution no later than August 21. Schemmer had written a fairly detailed article about Stealth based on information obtained from unclassified sources in June 1978, but he had withheld it from publication at the request of the Pentagon. When Perry told him he now wanted him to publish a story on the project, Mr. Schemmer told Perry it was his "strong conviction that it was irresponsible to let this information out at this time."

Apparently to make sure that the general public knew there had been a leak that had to be answered by the "damage-control" press conference that Secretary Brown wanted to hold on August 22, extensive information was furnished to ABC News, which cooperated by airing it on August 20. That was the very same day that the House Armed Services Committee had been briefed on Stealth and had been cautioned that "absolute secrecy was essential for the protection and preservation of the program."

No Culprit Hunt

"Debategate" has captivated the media and has resulted in FBI agents poring over stacks of Reagan campaign documents in search of some culprit who may have knowingly received leaked Carter papers. But no one in the press or the executive branch seemed at all interested in finding out who was responsible for the leak of the Stealth data. David Aaron denied that he had leaked the story to The Post, but he declined to testify under oath, claiming executive privilege. Unlike Reagan's EPA appointees, he was allowed to get away with that. Secretary Perry denied that the leaks had been deliberate, and the committee said it couldn't prove that they were, but it was appalled by the Defense Department's lack of concern. It said, "Before any effective security system can be established, the Pentagon must totally disabuse itself of the philosophy which its top officials repeatedly testified to before the subcommittee, that in a democracy there is really nothing the Department can do to prevent security leaks, or track them down when they occur."

The subcommittee made another very important recommendation which has yet to be acted upon. It recommended that work be started immediately on legislation "along lines similar to those set forth in the Official Secrets Act of the United Kingdom (to) prevent, by the establishment of appropriate penalties, the

AIM Report

**NOTES FROM THE EDITOR'S CUFF***By Reed Irvine*

August-A 1983

IT IS HARD TO KEEP A MEDIA SCANDAL IN THE PUBLIC EYE, BECAUSE THAT TAKES MEDIA attention, and one thing our media try to avoid is any prolonged discussion or investigation of media wrongdoing. In our lead story in this issue, we apply the label "media-gate" to the scandalous way in which the media ignore or downplay real scandals while exaggerating and even creating out of whole cloth scandals that appeal to the politically prurient interests of those who dominate the media elite. The fuss about the Carter briefing book contrasted with the lack of interest in the outrageous leak by Carter's top aides of highly classified defense secrets for political purposes is one example. We discuss that in detail in this issue. The fact that the scandalous leak of defense secrets has not been brought to your attention is itself a major scandal. I do find it a bit strange that the Reagan administration has done absolutely nothing, as far as I can tell, to investigate and expose that scandal. Perhaps they have been too busy defending against phoney media-created scandals such as "Debategate," the EPA flap, the Legal Services Corporation board case, and the Canadian film flap to expose the genuine scandals.

THE TREATMENT OF THE LEGAL SERVICES CORPORATION IS A GOOD EXAMPLE OF WHAT I'M talking about. Last December, The Washington Post stirred up a phoney scandal with the false charge that Reagan's appointees to the Legal Services Corporation board had ripped off the taxpayers by collecting excessive fees. That blew up in the Post's face as soon as it was revealed by better journalists that the board members had collected exactly what was prescribed by law, as had their predecessors. In July, Senator Orrin Hatch's Labor Committee uncovered considerable evidence of an honest-to-goodness scandal in the LSC. Sen. Hatch asked the Justice Department to investigate charges that LSC officials had violated federal laws prohibiting lobbying with LSC funds, had destroyed files in an effort to cover up their illegal actions, and had used so-called "mirror corporations" to avoid legal restrictions on LSC and its grantees. He also asked the Justice Department to look into discrepancies between testimony of former LSC officials and documentary evidence uncovered by his committee. These documents included tax-funded training manuals published by the LSC in 1980 and 1981 urging its lawyers to align themselves with "the Democratic coalition" and use "muckraking" and litigation to intimidate and embarrass opponents of community action groups.

ALMOST NONE OF THIS WOULD HAVE BEEN MADE KNOWN HAD IT NOT BEEN FOR THE WASHINGTON Times. The scandal-loving Washington Post was virtually silent. It finally produced one editorial that mentioned that the Hatch hearings had produced "a series of horror stories." It disposed of these saying that these were dismissed by supporters as "old stories." The Post said there was concern that reviving these stories might jeopardize the reauthorization of the corporation. It acknowledged that federal funds ought not to be used to finance political campaigns or to organize grass-roots lobbying on public policy questions, which the LSC had been doing. But it thought there was a gray area, and that some lobbying might be justified. This mish-mash was published the same day The Washington Times was exposing those LSC financed manuals mentioned above. The Post said nothing about them.

ON MARCH 8, I WROTE TO WASHINGTON POST CHAIRMAN KATHARINE GRAHAM CITING THREE RECENT phoney scandals stirred up by The Post that were discussed in the March-B AIM Report. I asked what would have been the harm in taking a few more days to get the facts right. I suggested that the word should go out that there would be no more reckless smearing of

reputations and that severe penalties would be inflicted on those who put scandal-mongering above factual accuracy. Four months later I received a three paragraph reply from Mrs. Graham's son, Donald, the publisher of The Post. Mr. Graham did not deny that the scandals his paper had stirred up were phoney. He said that I was implying that The Post's reporters should have known on the first day facts that became known later. He said, "In 2 of the 3 cases you cite, key officials would not talk to our reporters before they wrote their first stories, and in the third, the government was slow in providing information. When more facts were available later, we printed them....The reader of The Post got a very full account of each controversy, including commentary from both sides."

I NEXT WROTE TO MRS. GRAHAM AGAIN, POINTING OUT THAT THE PUBLISHER HAD DEFENDED a policy of saying, in effect: "Since we couldn't reach Mr. X, we rushed into print with a story that smeared him, expecting eventually that he would communicate with us and set the record straight." I asked if this was really The Post's policy. Mrs. Graham replied that it was "perfectly sensible and legitimate" to say that "as stories unfold, you have to do your best to report them each day." She said, "If we waited until the end of each story to say anything about it, we would not be what you would call a newspaper." Not disputing my charge that the scandals that had been alleged were not supported by the facts, Mrs. Graham added: "That is not to say we should not get all the available facts from both sides--as we make every effort to do." Neither Mrs. Graham nor Donald commented on another case mentioned in my letter in which veteran Post reporter Murrey Marder excused himself for not having reported "the other side" of a story that was very damaging to a government official because he was given the assignment only about an hour before deadline. He had been unable to locate the individual involved, and the editors insisted on running the story without any comment from the individual being attacked because "we believed we might well be in a competitive situation." So it is that the media sink to the lowest common denominator of responsibility.

CORRECTION! IN OUR JULY-A ISSUE TRANSAMERICA CORP. WAS INCORRECTLY LISTED AS AN advertiser on the "60 Minutes" program about Alabama Power Co. spraying the herbicide Tordon in the vicinity of Moundville, Alabama. The "Sponsors Guide" on which we relied had incorrectly shown Transamerica as the parent of "Century 21," the nationwide real estate brokerage firm. We are informed that "Century 21" is owned by Trans World Corp. We very much regret the error and apologize to Transamerica for the incorrect listing.

ON JULY 21, AIM RAN AN AD FOR THE BOOK, TARGET AMERICA, AND THE AIM REPORT IN THE Washington Times. This was an old ad which had originally run in the same paper last December. We had included in the ad a photo of Gen. William C. Westmoreland with this caption, "Not long ago, CBS did a sleazy hatchet job on General William C. Westmoreland and AIM helped expose the shoddy journalism which lay behind the network's attack. Gen. Westmoreland wrote that 'Accuracy in Media did a fantastic job of exposing the dishonest smear job that CBS perpetrated. Everyone should read the AIM Report.'" Gen. Westmoreland had approved that statement and had supplied us with his photograph for use in the ad.

I HAVE NOW RECEIVED A LETTER FROM THE GENERAL WHICH READS: "Dear Reed: Your ad in the July 21, 1983 issue of The Washington Times prompts this letter. While I have and do appreciate your efforts in my behalf I find it repugnant that you continue to use my name (and in this case, my picture) to further your own ends. The ad, by implication, could give the reader the impression that my fight is with the media. It is not! It is with CBS over a specific issue. Your ad adds fuel to the frequent allegations by some that my case is a right wing effort to 'get' the press. I fully support the 1st amendment and am taking the one and only means at my disposal, the law, to seek redress for my own grievance. I feel that I must make this letter public because I cannot, in good conscience, continue to allow you to use my name in such a way. It is with deep regret that I must do this." We very much regret having caused Gen. Westmoreland any distress. We would not, of course, have rerun the ad had he simply phoned up. I have discussed it here only because some of you may have seen a rather misleading story about the general's letter that ran in the L. A. Times and was then picked up by the Associated Press.

publication of such secrets; or, in the alternative, require that any publication of such information by the media be accompanied by the name of the source of such information."

The Washington Post and ABC News showed themselves perfectly willing to be used by the Carter Administration for political purposes even though it meant disclosing vital defense information to the Soviets. They could have had a much better story, and one that would have served the national interest, had they rejected the secret information proffered and exposed what Carter's aides were doing—giving away important secrets so they could have an excuse to say they had not been as negligent in the defense area as

Reagan was saying. This was the biggest scandal of the 1980 campaign. But it has not received a fraction of the media attention given to the Carter briefing book.

What You Can Do

Write to Sen. John Tower, chairman of the Senate Armed Services Committee, and Rep. Melvin Price, chairman of the House Armed Services Committee, calling their attention to the recommendation of the Investigations Subcommittee of the House Armed Services Committee that an Official Secrets Act be adopted. Ask what they are doing about it. The addresses are respectively: U.S. Senate, Washington, D.C. 20510, and House of Representatives, Washington, D.C. 20515.

THE TIMES HANGS TOUGH

Mr. Arthur Ochs Sulzberger, the Chairman and President of The New York Times and Sydney Gruson, the Vice Chairman, received Reed Irvine, Chairman of AIM and Murray Baron, the President of AIM, in Mr. Sulzberger's office for an on the record discussion on June 30, 1983. This was the sixth such meeting between the top officials of AIM and The Times since 1978. The discussion ranged over the story The Times had done on Dr. Edward Teller, "Debategate" and the attitude of journalists toward acquiring and using governmental secret documents, Raymond Bonner, the former Times correspondent in El Salvador who was so helpful to the guerrillas there, the historical record of The Times in backing revolutionaries on the left but not those opposing communist regimes, the manipulation of Western media by the communists, and the inadequate coverage of Stanislaw Levchenko and Miguel Bolanos Hunter, two important defectors from the KGB and Nicaraguan intelligence respectively.

Trashing Dr. Teller

At the time of the meeting, The Times had done nothing to correct the outrageous collection of error and false insinuation that it had published about Dr. Edward Teller, the great nuclear physicist, on its front page on April 28, except to report that a White House investigation had cleared Dr. Teller of the conflict of interest charges made by The Times. AIM had bought a full page in The Wall Street Journal to publish a statement by Dr. Teller refuting the Times story.

Mr. Gruson had sent letters to the many AIM members that had written to criticize the attack on Teller. Mr. Gruson stated in his letter that Dr. Teller's statement in the Journal was inaccurate in several respects. Reed Irvine had replied to each of the points made in Mr. Gruson's letter. In summary, he said: "I don't think your letter clarifies the matter at all. It fails to deal with a single major inaccuracy and false innuendo in the story. All it does is say that Gerth (the reporter) relied on sources that ought to have been double-checked, and he misquoted what he was told. He jumped to totally unjustified conclusions and smeared an honorable man." (A copy of Mr. Irvine's letter will be sent to anyone requesting it.)

Mr. Irvine asked Mr. Gruson if he had any response to that letter. Mr. Gruson said, "I think there are differences of opinion between us on this issue, and I'm not convinced. You do convince me from time to time that you're right, or righter than we are. On this one, I don't think you have, Reed. I think to make an issue of whether Dr. Teller was given these shares (in Helionetics, Inc.) or he bought them—the fact of the matter is that Mr. Katz used the expression, 'I gave them to him.' He did, as it turns out, pay 5 cents a share."

Irvine: It's not really the most important point... Did Teller use information that he had as a White House adviser to boost the price of Helionetics stock? That's really the question, and this is what The Times story was all about... You wouldn't have run the story on page one if there hadn't been the implication that Edward Teller used such information to boost the price of that stock. That was the story.

Gruson: No, no, no. The story was that people deeply involved in matters of government defense contracts were being given stock... in companies that had a great deal to gain from contracts with the government.

Irvine: If that's the story, then why didn't the story mention that Dr. Teller and Mr. (Robert) Gray had received their stock in the Carter administration, not in the Reagan administration? Wouldn't that be relevant?

Gruson: He bought the stock in 1980. Whenever it was, the practice of giving these people stock—and Mr. Katz would be the first to admit this—the purpose of giving it was to gain influence with the authorities.

Mr. Gruson never did explain why these stock transfers that were supposedly carried out to influence the Reagan administration were made before Reagan was elected or why The Times story never mentioned that. After Mr. Irvine pointed out that there were very good reasons other than political influence why a high-tech company would want Dr. Teller on its board, Mr. Gruson said: "We don't put down Edward Teller. We think he has made an enormous contribution. We have acknowledged that contribution in Times editorials. I personally have great respect—I think that some of his views are not exactly those that I share, but no one would doubt the contribution that Edward Teller has made."

After Irvine pointed out how deeply hurt Dr. Teller had been, Mr. Gruson said: "I don't think anyone of us at this newspaper would do anything to deliberately injure Edward Teller, but when Edward Teller takes as a gift a pile of stock from a man who—I don't know Mr. Katz, but Mr. Katz has had serious troubles with the SEC, Mr. Teller is asking for trouble and Mr. Teller is smart enough to know better."

Irvine: Is it illegal to purchase stock from someone who has had trouble with the SEC?

Gruson: I didn't say it was.

Irvine: Well, you're making a big deal of it.

Sulzberger: It's an interesting story.

Irvine: Is it a front-page story? What was the point of doing it at this time?

Sulzberger: We just found out about it.

Mr. Gruson later explained his continuing to refer to the Helionetics stock as a "gift" because Dr. Teller had acquired it at an "insider price." The company had just emerged from bankruptcy and the stock was not being traded at the time Teller made his purchase. Mr. Sulzberger acknowledged that there were many reasons why a company would want Dr. Teller or Admiral Thomas B. Hayward or former Treasury Secretary William E. Simon on its board other than to obtain political influence. Irvine said that reporter Jeff Gerth portrayed it as political because he wanted to imply that Teller had delivered confidential information obtained from his White House post, generating heavy demand for Helionetics stock. That was a despicable slur.

Mr. Irvine said that at least the Times executive editor, Mr. Abe Rosenthal, should write one of his "Editors' Notes" to inform the readers of the flaws in the Gerth story. He pointed out that The Times had so far failed to answer any of the serious criticisms of the Gerth story, which he said was based on "sloppy, unjustified innuendo." The Times had not demonstrated that Teller had passed on information that would benefit Helionetics or that Helionetics stood to gain from President Reagan's anti-missile defense proposal.

Irvine said he understood that Rosenthal was away when the story ran in The Times and bore no responsibility for it. Mr. Sulzberger said that if a mistake was made, it was made all up and down the line. Seymour Topping had been the responsible editor, and according to Mr. Gruson, "our people" didn't feel that any injustice had been done, presumably meaning Topping. He promised to discuss it with Rosenthal. Mr. Sulzberger said he didn't think anyone regarded it as "a fine story," and he promised to take it up again. Informed that Dr. Teller had submitted a letter that had not been published, he said he would look into that. The letter was printed the next day, albeit in an edited version.

The Times Knows Best

On the question of "Debategate," both Mr. Sulzberger and Mr. Gruson agreed that the story had been overblown. Mr. Sulzberger said it was a tempest in a teapot. But Mr. Gruson said it was not proper to compare leaks to a political campaign with leaks to the press. He said: "I think the press has a different job or duty to perform than a political party. We have a specific role in society, and I think it is best fulfilled by the press, to the limits of its ability, finding out things that people are trying to keep secret where it is clearly not against the national interest to publish those things. We, in most cases, are as good at deciding what is in the national interest as anybody engaged in politics or in government who has an axe to grind."

Irvine: At an AIM conference, Seymour Hersh (a former Times reporter) said, "My job is to find out the government's secrets. It's the government's job to protect them."

Sulzberger: That's right.

Irvine: All right, you agree with that. He didn't say anything there about the public interest.

Gruson: The public interest is getting those secrets.

Irvine: That assumes that knowing those secrets is always in the public interest.

Sulzberger: No, no. But I'll bet that somewhere around 90 percent of the materials that are sitting in files in Washington stamped "secret" shouldn't be stamped "secret." The government does things that we as citizens who put them in ought to know about. They're embarrassed. They stamp it secret.

Irvine: You are saying that you are at least as well qualified as the appointed and elected representatives—that you are arrogating to yourselves...."

Sulzberger: Yes, after 102 years of publishing we think that we do basically a better job at it than those elected officials who go out every four years.

Mr. Gruson agreed, saying: "Journalists have the duty, the obligation, to get as much into print about government secrets, and if politicians would learn that they could trust the American people with everything that they are debating, this would be a far better country."

But this willingness to trust the people with all secrets did not extend to the secrets of The New York Times. Mr. Gruson said he recognized that AIM would have the right to publish internal documents from The Times if such documents were passed to it by a Times employee. Mr. Sulzberger suggested that any employee caught doing that would not be an employee for very long.

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